

# **EXHIBIT 76**

**In the Matter Of:**

*HENRY v*

*BROWN UNIVERSITY*

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*SARA HARBERSON*

*October 25, 2023*

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223

1 tagged. Those were the big ones.

2 To get a BSI tag, you were  
3 untouchable. You would have  
4 gotten in almost 100 percent of  
5 the time.

6 A BSI would have been a  
7 student whose family were big  
8 donors or someone on the board  
9 was advocating for that student.

10 A governor of Delaware was  
11 advocating for a student. No, I  
12 don't think he was an alum. I  
13 could be wrong. And he wasn't on  
14 the board at the time.

15 PSI were potential special  
16 interests. So I would say that  
17 most of the time it turned into a  
18 BSI, but sometimes it didn't.

19 And, on rare occasion, a  
20 PSI possibly wouldn't get  
21 admitted.

22 So those are the tag -- the  
23 big tags.

24 And another unwritten rule

1 within the office was if a tagged  
2 applicant got admitted, whether  
3 the admissions officer was  
4 presenting that student to the  
5 admissions committee or it was  
6 done without any input from the  
7 admissions officer, without them  
8 knowing until it showed up on  
9 their docket, you knew you were  
10 not supposed to question or  
11 challenge those cases.

12 So, for example, if we  
13 were -- if we had overenrolled in  
14 committee -- and it happened all  
15 the time. It happens because you  
16 want to admit good students.

17 But if you were untagged  
18 and we were overenrolled, we were  
19 told that you have to -- you  
20 know, each admissions officer has  
21 to remove 50 admitted students  
22 from the class and take them to  
23 Lee to move to a waitlist.

24 But you were not allowed to

1 touch any student who had a tag.

2 Because once they were

3 admitted -- and if they were

4 tagged, they were usually

5 admitted by Lee -- you could not

6 -- you didn't have a leg to stand

7 on, even if -- even if the

8 student was incredibly weak, even

9 if the student had a major issue

10 in the application. You had

11 absolutely no power as an

12 admissions officer.

13 BY MR. RAYMAR:

14 Q. And were applicants tagged  
15 who were, in comparison to the rest of  
16 that year's class, weak?

17 MR. GRINGER: Objection.

18 Lack of foundation and leading.

19 This is someone on your  
20 26(a) list. You cannot lead the  
21 witness.

22 MR. RAYMAR: I can do  
23 whatever I want to do, and then  
24 you could object, and we'll